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West Virginia Law Review National Coal Issue Cumulative Index to Volumes 80 to 86 (1978-1984)

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**Approximate Original Contour and the Taking Issue—Virginia Surface Mining and Reclamation Association, Inc. v. Andrus*; David Jividen. 81:799 (1979).

Basics of Federal Black Lung Litigation, The; Samuel J. Smith and Ford F. Newman. 83:763 (1981).

Black Lung Benefit Trusts As a Federal Self-Insurance Alternative; Peter M. Kelley. 82:847 (1980).

Black Lung Benefits Act, The: An Operator's Perspective; J. Randolph Query. 83:855 (1981).

**Black Lung Benefits Amendments of 1981: Transfer of Special Claims Under Section 205*; James B. Stoneking. 86:1023 (1984).

Black Lung Benefits Reform and Revenue Acts of 1977, The; John Rollins. 80:539 (1978).

**Changing Concepts in the Ad Valorem Severance Taxation of Coal in West Virginia*; John Kent Dorsey. 82:1365 (1980).

**Citizen Participation in the Regulation of Surface Mining*; Joshua I. Barrett. 81:675 (1979).

Clean Air Act Proceedings Affecting National Coal Markets: An Examination of the Authority of the President to Allocate Markets; James M. Friedman. 82:867 (1980).

Clementine in the 1980's (EEO and the Woman Miner); Thomas H. Barnard and Brenda J. Clark. 82:899 (1980).

Closing the Evidentiary Gap: A Review of Circuit Court Opinions Analyzing Federal Black Lung Presumptions of Entitlement; Harry L. Stephens, Jr. and Alva A. Hollon, Jr. 83:793 (1981).

Coal Depletion Allowance Deduction, The; Martin J. McMahon, Jr. 85:581 (1983).

Coal Law and Regulation: Book Review; Jerome H. Simonds and John S. Lopatto III. 86:985 (1984).

- Coal Resource Development—Toward a Rational Policy*; J. Davitt McAteer. 86:735 (1984).
- Coal Slurry Pipelines—In the Public Interest*; C. Howard Hardesty and Edward S. Shipper. 86:797 (1984).
- Coal: The Coming Decade*; The Honorable Jennings Randolph. 82:835 (1980).
- **Commerce Clause v. Coal Severance Taxation*; Wray Victor Voegelin. 84:1123 (1982).
- Common Sense Approach to Coal's Role in Resolving America's Energy Crisis*, A; John D. Rockefeller IV. 82:841 (1980).
- **Commonwealth v. Barnes & Tucker, Co.—The Burden of Treating Acid Mine Drainage*; Michael E. Winck. 80:519 (1978).
- Comparative Study of Miners' Training and Supervisory Certification in the Coal Mines of Great Britain, the Federal Republic of Germany, Poland, Romania, France, Australia, and the United States*, A: *The Case for Federal Certification of Supervisors and Increased Training of Miners*; J. Davitt McAteer and L. Thomas Galloway. 82:937 (1980).
- **Constitutional Analysis of the Surface Owner Consent Provisions in the Tennessee Surface Mining Law and the West Virginia Oil and Gas Conservation Act*; James M. O'Brien. 82:1385 (1980).
- Constitutional Issues in the Reclamation of Orphaned Mined Lands Under the Surface Mining Control and Reclamation Act of 1977*; Betsy Clare Steinfeld. 81:709 (1979).
- Contract Mining Agreements—The Contract Miner's Perspective*; Henry McC. Ingram and John H. Lawrence, Jr. 86:853 (1984).
- **Controlling Acid Rain: The Clean Air Act and Federal Common Law Nuisance*; Debra G. Archer. 84:1135 (1982).
- Counseling the Miner Suffering from Respiratory Disease*; Gail Falk. 83:833 (1981).
- Criminal Sanctions Under the Federal Mine Safety and Health Act of 1977*; Dennis M. Ryan and Ronald Schell. 85:757 (1983).
- Critical Analysis of the Legislative History Surrounding the Black Lung Interim Presumption and a Survey of its Unresolved Issues*, A; Mark E. Solomons. 83:869 (1981).
- **Current State of Grievance Arbitration in the Coal Industry, The*; Larry W. Blalock. 82:1401 (1980).
- **Disturbing Surface Rights: What Does "Reasonably Necessary" Mean in West Virginia?*; Clinton W. Smith. 85:817 (1983).
- Drafting a Contract Mining Agreement—The Owner's Perspective*; Charles Q. Gage. 86:821 (1984).
- Employment Discrimination Under the Federal Mine Safety and Health Act*; James A. Broderick and Daniel Minahan. 84:1023 (1982).
- Enactment of the Surface Mining Control and Reclamation Act of 1977 in Retrospect, The*; The Honorable Morris K. Udall. 81:553 (1979).

- Encouraging Advances in Mining and Reclamation Practices: An Analysis of the Experimental Practices Provision of the Surface Mining Control and Reclamation Act of 1977*; David C. Short, John R. Batt, and Barbara Lovan. 86:909 (1984).
- Energy Future: Report of the Energy Project at the Harvard Business School: Book Review*; William H. Miernyk. 82:1257 (1980).
- Energy Independence Through Increased Utilization of American Coal: Goal of the 98th Congress*; The Honorable James A. McClure. 86:687 (1984).
- *Evidentiary Requirements to Prove a Claim for Black Lung Benefits: Impact of the Black Lung Benefits Reform Act of 1977*; F. Thomas Rubenstein. 82:1425 (1980).
- Failure of the Interim Regulatory Program Under the Surface Mining Control and Reclamation Act of 1977, The: The Need for Flexible Controls*; Robert J. Gage. 81:595 (1979).
- Fair Market Value of Federal Coal, The*; David A. Gulley. 86:741 (1984).
- Fair Side of Paradox, The: State Regulation of the Environmental Effects of Coal Mining*; K. W. James Rochow. 81:559 (1979).
- Federal and State Regulatory Authority Under the Surface Mining Control and Reclamation Act of 1977*; Steven L. Friedman and Henry F. Siedzikowski. 82:1053 (1980).
- Federal Black Lung Program, The: A 1983 Primer*; John S. Lopatto III. 85:677 (1983).
- Federal Coal Leasing and Partisan Politics: Alternatives and the Shadow of Chadha*; C. Peter Goplerud III. 86:773 (1984).
- Federal Coal Leasing Waltz, The*; Brian E. McGee and Gerald E. Dahl. 80:455 (1978).
- Federal Income Tax Aspects of the Disposition of Coal Interests by a Corporation*; Louis S. Southworth II and James H. Nix. 82:1201 (1980).
- Federal Income Tax Treatment of the Acquisition and Disposition of Coal Interests: An Examination of I.R.C. § 631(c)*; John C. Coggin III. 82:1139 (1980).
- Federal Mine Safety and Health Amendments Act of 1977, The: Closure Encounters of the Third Kind*; Edmund J. Moriarty and Mark M. Pierce. 80:429 (1978).
- Federal Regulation of Coal Mine Waste Disposal: A Blueprint for Disaster*; Thomas J. FitzGerald. 86:891 (1984).
- Federal Tort Liability for Negligent Mine Safety Inspections*; W. Eugene Basanta. 85:519 (1983).
- *Forfeiture: General State of the Law and Movement to Further Confine Its Application*; Linda Rae Artimez. 86:1039 (1984).
- Grievance Mediation: A Step Toward Peace in the Bituminous Coal Industry*; Stephen B. Goldberg. 85:777 (1983).

- Independent Contractor Safety in the Mines: A Review and Analysis of Regulatory History with Proposals for Change*; Diane C. Chernoff. 83:945 (1981).
- **Judicial Review of Regulations Promulgated Under the Surface Mining Control and Reclamation Act of 1977—In re Surface Mining Regulation Litigation*; Joyce Fleming Ofsa and David E. Godwin, 81:785 (1979).
- **Jurisdiction and Exemptions Under the Surface Mining Control and Reclamation Act of 1977*; John M. Hedges. 86:995 (1984).
- Jurisdiction to Review Agency Nonenforcement Under the Federal Mine Safety and Health Act: The Miner as Litigant*; John S. Yun. 86:929 (1984).
- Keeping Miners Out of Work: The Cost of Judicial Revision of Arbitration Awards*; Richard L. Trumka. 86:705 (1984).
- Lawyer's Medical Guide to Black Lung Litigation*, A; N. LeRoy Lapp, M.D. 83:721 (1981).
- Miner's Bill of Rights*, A; L. Thomas Galloway, J. Davitt McAteer and Richard L. Webb. 80:397 (1978).
- Minimizing the Impact of Withdrawal Liability Under the Multiemployer Pension Plan Amendments Act of 1980*; Bruce Gabler. 85:707 (1983).
- Monitoring Foreign Investments in Energy Resources: Problems and Proposals*; James J. Friedberg. 84:1093 (1982).
- New Program for the Management of Federal Coal Reserves*, A; Guy R. Martin. 82:1019 (1980).
- **Ownership of Coal Bed Gas: United States Steel Corp. v. Hoge*; Richard H. Lorensen. 82:1221 (1980).
- Pit and the Pendulum, The: The Senate and S. 1403*; Robert J. Shostak. 82:1221 (1980).
- **Preventive Law and the Negotiating and Drafting of Coal Leases After the Surface Mining Control and Reclamation Act of 1977*; Laurence W. Hancock. 81:733 (1979).
- Protection of Hydrologic and Land Preservation Values Under the Surface Mining Control and Reclamation Act of 1977, The: A Welcome Reform*; David Wooley. 81:627 (1979).
- Rail Rates for Coal Transportation: An ICC Decision Costly to Shippers*; Ben David Shiriak. 85:739 (1983).
- **Recent Decisions Under the Federal Mine Safety and Health Act of 1977*; Wray Victor Voegelin. 84:1171 (1982).
- **Recent Developments in Black Lung Litigation—Rebuttal of the Interim Presumption*; Tony Cicconi. 85:851 (1983).
- **Recent Developments Under the Surface Mining Control and Reclamation Act of 1977*; Rebecca L. Stepto. 85:829 (1983).
- **Regulation of Blasting Practices Under the Surface Mining Control and Reclamation Act of 1977*; Ralph C. Young. 81:763 (1979).

- *Retroactive Land Statutes—Indiana's Dormant Mineral Act Declared Constitutional*; Deborah McHenry Woodburn. 85:783 (1983).
- Rockefeller Amendment, The: Its Origins, Its Effects and Its Future*; Dennis M. Abrams. 82:1241 (1980).
- Safety in the United Kingdom's Deep Coal Mines*; John L. Collinson. 83:977 (1981).
- Setting National Coal Policy: Interaction Between Congress, Regulatory Agencies and the Courts*; Carl E. Bagge. 86:717 (1984).
- Staggers Rail Act of 1980, The: Deregulation Gone Awry*; Ben Johnson and Sharon D. Thomas. 85:725 (1983).
- *Summary of the Legislative History of the Surface Mining Control and Reclamation Act of 1977 and The Relevant Legal Periodical Literature, A*; Robert Allen Waters. 81:775 (1979).
- Survivors' Twenty-Five Year Presumption Under the Black Lung Benefits Reform Act of 1977, The: A Case for its Unconstitutionality*; David J. Millstone and Maria J. Codinach. 82:1079 (1980).
- *Unauthorized Work Stoppages—Carbon Fuel Co. v. UMW*; Joseph E. Bernot. 81:805 (1979).
- *Unauthorized Work Stoppages—"Stranger Pickets" in the Coalfields*; S. Benjamin Bryant. 80:492 (1978).
- *United States Steel Corp. v. Hoge: A Judicial Decision Which Fails to Solve the Coalbed Gas Ownership Problem*; Steven P. McGowan. 85:803 (1983).